

January 15, 2007

Natural Resource & Energy Committee hearing on SB19

I served on the 790 subcommittee and would like you to support SB 19. I traveled about 550 miles to be here today. I felt it was important to let this committee know that although I support the work we did on this bill this past year I think the bill and committee failed to do what I feel it was supposed to do. There are some positive things in the bill such as the **brochure and increased notice** but as a surface owner in a split estate situation this bill will do nothing to alleviate the problems surface owners incur in dealing with oil companies. One of the biggest problems surface owners have is getting a written surface use agreement in place before drilling operations begin. It would help if a written surface agreement would be required before ground breaking happens. The surface use agreement could have in it anything the two parties agree upon.

In addition the land owner should have the option of an **annual surface damage payment** for the use of the land for the years it is out of production in addition to the initial damage payment. The wind energy companies offer annual payments as do phone companies that put up cell phone towers on private property. It seems they see the value in the use of someone else's land.

I live in the middle of the Bakken play, not in Sidney but right in the middle of the activity. Unless you live there and deal with all of this on a day to day basis I don't think you can even imagine what happens out here or how a surface owner is treated when they do not have any minerals. Thanks you for your time.

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